

NEW YORK
LONDON
SINGAPORE
PHILADELPHIA
CHICAGO
WASHINGTON, DC
SAN FRANCISCO
SILICON VALLEY
SAN DIEGO
LOS ANGELES
TAIWAN
BOSTON
HOUSTON
AUSTIN
HANOI
HO CHI MINH CITY

Duane Morris®

FIRM and AFFILIATE OFFICES

LUKE P. MCLOUGHLIN
DIRECT DIAL: +1 215 979 1167
PERSONAL FAX: +1 215 689 4923
E-MAIL: LPMcLoughlin@duanemorris.com

www.duanemorris.com

SHANGHAI
ATLANTA
BALTIMORE
WILMINGTON
MIAMI
BOCA RATON
PITTSBURGH
NEWARK
LAS VEGAS
CHERRY HILL
LAKE TAHOE
MYANMAR
OMAN
*A GCC REPRESENTATIVE OFFICE
OF DUANE MORRIS*

ALLIANCES IN MEXICO
AND SRI LANKA

December 10, 2019

VIA ECF

Judge Paul S. Diamond
U.S. District Court, Eastern District of Pennsylvania
Room 14614, 601 Market Street
Philadelphia, PA 19106-1743

Re: 16-CV-6287 (PD)

Dear Judge Diamond:

This Firm is counsel to Election Systems & Software, LLC (“ES&S”). We have advised counsel for the Plaintiffs and the Defendants in the above-captioned matter of our client’s interest in filing a motion for leave to file an amicus brief in support of Defendants’ opposition to Plaintiffs’ November 26, 2019 Motion to Enforce (Dkt. 112), which Motion to Enforce expressly refers to voting machines provided by ES&S.

The City of Philadelphia and the Philadelphia Board of Elections, represented by Benjamin H. Field, Divisional Deputy City Solicitor in the City of Philadelphia Law Department, likewise has advised counsel for the Plaintiffs and the Defendants of their interest in filing a motion for leave to intervene in this case. The City of Philadelphia has procured and implemented the voting machines referred to in Plaintiffs’ motion.

We write jointly to request that ES&S, the City of Philadelphia, and the Philadelphia Board of Elections be permitted to file their respective motions for leave on or before December 17, 2019. Plaintiffs and Defendants have consented to this timeframe. A proposed Order is enclosed for the Court’s convenience.

Respectfully submitted,

/s/ Luke P. McLoughlin

Luke P. McLoughlin

cc: Alan C. Kessler, Esq.

DUANE MORRIS LLP

30 SOUTH 17TH STREET PHILADELPHIA, PA 19103-4196

PHONE: +1 215 979 1800 FAX: +1 215 979 1820

Judge Paul S. Diamond
Page 2

Duane Morris

Benjamin H. Field, Esq. (*counsel for the City of Philadelphia and the Philadelphia Board of Elections*)
All Counsel of Record

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JILL STEIN, et al.,	:	
	:	CIVIL ACTION
Plaintiffs,	:	
v.	:	No. 16-cv-6287(PD)
KATHY BOOCKVAR, in her official capacity	:	
as Acting Secretary of the Commonwealth, and	:	
JONATHAN MARKS, in his official capacity	:	
as Commissioner of the Bureau of	:	
Commissions, Elections and Legislation,	:	
Defendants.	:	

ORDER

AND NOW, based on the consent of the parties, it is hereby ORDERED that Election Systems & Software, LLC, the City of Philadelphia, and the Philadelphia Board of Elections are permitted to file motions on or before December 17, 2019 seeking leave to file a brief *amicus curiae* or to intervene.

SO ORDERED
